

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Michael C. Powers, et al.  
Serial No.: 09/110,103  
Filing Date: July 1, 1998  
Title: SYSTEM AND METHOD FOR IMPORTING  
PERFORMANCE DATA INTO A PERFORMANCE  
EVALUATION SYSTEM

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.

*Elizabeth A. Fawcett*  
Name  
9/23/98  
Date

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

This is in response to the Notice to File Missing Parts of Application - Filing Date Granted mailed July 29, 1998. Applicants submit herewith:

- a) A copy of the Notice to File Missing Parts of Application - Filing Date Granted.
- b) A completed Declaration and Power of Attorney for the above-referenced patent application, which was filed July 1, 1998.
- c) A check in the amount of \$130.00 is enclosed for the filing fees and surcharge for a large entity.

d) An Assignment Recordation Form and Assignment for the above-referenced patent application.

e) A check in the amount of \$40.00 is enclosed for filing the Assignment.

f) The Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of Baker & Botts, L.L.P.

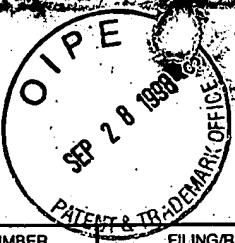
Respectfully submitted,  
BAKER & BOTTS, L.L.P.  
Attorneys for Applicants



Terry J. Stalford  
Reg. No. 39,522

2001 Ross Avenue  
Dallas, TX 75201-2980  
(214) 953-6477

Date: Sept. 23, 1998



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

BEST AVAILABLE COPY

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/110,103	07/01/98	POWERS	M 019143-027

09/110,103 07/01/98 POWERS

M 019143-027

0242/0729

TERRY J STALFORD  
BAKER & BOTTS  
2001 ROSS AVENUE  
DALLAS TX 75201-2980

NOT ASSIGNED

*Prior Filing/ Prior Filing  
+ Missing items due*

2771

*Sept. 6 or 24, 1998*

DATE MAILED:

07/29/98

## NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a small entity (statement filed)  non-small entity is \$ 130.00.

1. The statutory basic filing fee is:

- missing.  
 insufficient.

Applicant must submit \$                    to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$                   , including any multiple dependent claim fees, are required.

\$                    for                    independent claims over 3.

\$                    for                    dependent claims over 20.

\$                    for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unexecuted.  
 does not cover the newly submitted items.  
 does not identify the application to which it applies.  
 does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above

10/06/1998 Application Number 09/110,103 and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

01 FC:105 130.00 OP

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

*(Signature)* A copy of this notice MUST be returned with the reply.